



9/ RCE / Suspension
1-Step 102 CG

Request For Continued Examination (RCE) Transmittal

8-18-03

Subsection (b) of 36 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket No.	116741.00138	Serial No.	09/540,524
	First Inventor	Jose Tamez-Pena et al.	Filing Date	March 31, 2000
	Group Art Unit	2862	Examiner	Tiffany A. Fetzner

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTOISB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☒ Previously submitted

☒ Consider the supplemental amendment(s)/reply previously filed on July 25, 2002

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☐ Other: _____

b. ☐ Enclosed

☐ Amendment/Reply

☐ Affidavit(s)/Declaration (s)

☐ Information Disclosure Statement (IDS)

☐ Other: _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Petition for extension of time under 37 C.F.R. § 1.136.

c. ☐ Other: _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-2185

☒ RCE fee required under 37 C.F.R. § 1.17(e) of:

☐ \$750.00 for a large entity

☒ \$375.00 for a small entity

☒ Extension of time fee of \$130.00 for the suspension (37 C.F.R. § 1.103(c) and/or \$725.00 for 4 month(s) extension of time

(37 C.F.R. § 1.136)

☐ Other: _____

b. ☐ Check in the amount of \$_____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

BLANK ROME LLP

600 New Hampshire Avenue, N.W.

WASHINGTON, DC 20037

TEL (202) 944-3000

FAX (202) 572-8398



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PATENT TRADEMARK OFFICE

Name:	Michael C. Greenbaum	Registration No.:	28,419	
Signature:			Date:	July 22, 2003

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Adjustment date: 11/17/2003 EEKUBAY1
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